

EXHIBIT 1

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

CIVIL ACTION NO. 04-10581 NMG

ORIGINAL

YVETTE LOCKHART-BEMBERY,
Plaintiff,

VS.

TOWN OF WAYLAND POLICE DEPARTMENT,
ROBERT IRVING, in his capacity as
CHIEF OF THE WAYLAND POLICE DEPARTMENT
and DANIEL SAURO,
Defendants.

DEPOSITION OF YVETTE LOCKHART-BEMBERY, taken
pursuant to Rule 30 of the Massachusetts Rules
of Civil Procedure, before Theresa M. Edwards,
Professional Reporter and Notary Public in and
for the Commonwealth of Massachusetts, at the
Law Offices of Brody, Hardoon, Perkins & Kesten,
One Exeter Plaza, Boston, Massachusetts, on
Monday, February 7, 2005, commencing at 11:35 A.M.

DUNN & GOUDREAU COURT REPORTING SERVICE, INC.
One State Street
Boston, MA 02109
(617) 742-6900

1 there. As I said, I'm not going to be able to
2 work full-time while I'm going to school
3 anyways. They know that's temporary. I work
4 per diem there.

5 Q. I'm sorry, what?

6 A. I work per diem.

7 Q. This is at TLC?

8 A. And Bethany.

9 Q. How often do you work?

10 A. Anywhere from four to five days a week, nights
11 a week.

12 Q. Do you have any criminal record?

13 A. Not that I know of.

14 Q. Have you ever been complained of in any
15 criminal complaints?

16 A. Would that include financial, like credit or
17 something like that or traffic violations?
18 That's all that I can think of.

19 Q. Let's talk about the financial. Have you ever
20 been charged with any financial crimes?

21 A. Crimes?

22 Q. Crimes, complaints?

23 A. No. I owe money. I owe money.

24 Q. Has anyone ever taken out a complaint against

1 you for a criminal offense?

2 A. No. I'm saying if that isn't classified --

3 MR. FISCHER: You would know about
4 it. That you know about?

5 THE WITNESS: Because I don't know if
6 that's considered criminal?

7 MR. FISCHER: No.

8 Q. (By Mr. Silverfine): So has anyone ever filed
9 a criminal complaint against you, as far as you
10 know?

11 A. No, not that I know of.

12 Q. It's your testimony that you've had no criminal
13 complaints against you?

14 A. Not that I know. I think I would know.

15 Q. You've never been arrested?

16 A. No.

17 Q. You never received any criminal complaints from
18 any agency, DA's office, police department,
19 notifying you that you've been charged with an
20 offense?

21 A. No, other than traffic violations.

22 Q. So the only one's you're saying is traffic
23 offenses?

24 A. Yes.

1 Q. What kind of traffic offenses have you --

2 A. Not paying my tickets and things like that.

3 Q. What else besides not paying your tickets?

4 A. I think one day I was driving and the little
5 sticker on the license plate was like one day
6 late or something, but they didn't charge me
7 with anything. They let me leave the car
8 there, which was around the corner from my
9 house. I went and paid it, put it on, and took
10 my car home.

11 Q. Have you ever been charged with a surcharge on
12 your insurance based upon an accident that you
13 were involved?

14 A. Surcharge?

15 Q. Yes?

16 A. I was in a really bad accident years ago, which
17 was not my fault, but I got surcharged for.

18 Q. What year was that?

19 A. I'm not sure if it was me or my friend. I
20 can't really tell you what year it was. I
21 think maybe '94.

22 Q. What year were you involved in this auto
23 accident that you were referring to?

24 A. I think it was '94. I'm not sure.